

REMARKS

This application has been reviewed in light of the final Office Action dated August 22, 2007. Claims 1-23 are pending, with Claims 1, 16 and 17 in independent form. No changes have been made to the claims by this response. Favorable reconsideration is respectfully requested.

Claims 1, 3, 9-10, 16-17, and 19-22 stand rejected under 35 U.S.C. §102(e) as allegedly anticipated over U.S. Patent No. 6,668,090 (Joshi et al.). Claims 2, 4-8, 11-15, 18, and 23 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,668,090 (Joshi et al.). Applicant respectfully submits that the claims are patentable over the rejecting reference for at least the following reasons.

In Applicant's last response, they pointed out that Independent Claim 1 requires, among other things, "assigning each said codeblocks one of said image types", "each said image type having a preassigned one of a plurality of quantization step-size sets." Applicant stated that the Joshi et al. Patent is not understood to teach or suggest a linking between (a) codeblock and image type, and (b) image type and quantization step-size set, as required by Claim 1.

Applicant reasoned that:

"In fact, the Joshi et al. Patent appears not to discuss image type at all in this regard. For example, the Joshi et al. Patent states that '[e]ach codeblock is compressed by the codeblock compression unit (206) using the appropriate quantizer step-size (209)' Col. 5, lines 27-29. However, the Joshi et al. Patent has not been found to teach or suggest that its 'appropriate quantizer step-size' is selected based on an image type assigned to the respective codeblock, as required by Claim 1."

The present Office Action disagreed with Applicant and alleged that the Joshi et al. Patent:

"teaches and certainly suggests in col. 5 ln. 12-55 (a) a link between codeblock and image type (see fig 2 items 204-211, also col. 5, ln. 31-42, where criteria such as visual quality levels and viewing condition parameters link each codeblock with its desired image type) and (b) image type and quantization step-size set (see fig. 2 items, also, col. 5, ln. 27-42, where for each codeblock, an 'appropriate quantizer step is chosen (col. 5, ln 29)'

which is based on the image type criteria associated with each codeblock (col. 5, ln. 31-42).” See pages 8-9 of the Final Office Action.

In this regard, Applicant respectfully submits that the Examiner has unfairly interpreted the Joshi et al. Patent. In particular, the Office Action refers to visual quality levels and viewing condition parameters, which the Joshi et al. Patent describes as pertaining to its step 212. See FIG. 2 (showing “visual quality table (210)” and “viewing condition parameters (211)” being input into step 212). On the other hand, the Office Action refers to the Joshi et al. Patent’s use of an ‘appropriate quantizer step-size (209)’ during its step 206. See Col. 5, lines 27-30. The Office Action then implies (without support from the Joshi et al. Patent) that the ‘appropriate quantizer step-size’ used in step 206 is based on the visual quality levels and viewing condition parameters later used in step 212. See page 9 of the Office Action (stating that “where for each codeblock, an appropriate quantizer size is chosen” (col. 5, ln. 29) which is based on the image type criteria associated with each codeblock (col. 5, ln. 31-42.”).

This implication (pg. 9, lines 1-5 of the Office Action) has not been found to be supported by the Joshi et al. Patent. In particular, Applicant has not found any teaching or suggestion in the Joshi et al. Patent that the visual quality table 210 and/or viewing condition parameters 211, used in step 212, have anything to do with step 206’s using of an “appropriate quantizer step-size (209)”. Accordingly, Applicant respectfully submits that the Joshi et al. Patent does not teach or suggest at least Claim 1’s requirements of “each said image type having a preassigned one of a plurality of quantization step-size sets” and “assigning each said codeblocks one of said image types and a corresponding quantization step-size set”.

Further, the Office Action appears to have read the word “chosen” into step 206 of the Joshi et al. Patent. See page 9, line 3 of the Office Action (“an ‘appropriate quantizer step size is chosen (col. 5, ln. 29)’”). However, col. 5, line 29 actually states “using the appropriate quantizer step-size (209)”. Accordingly, there does not appear to be any choosing of an appropriate quantizer step-size for codeblocks in step 206 based on a codeblock’s image type, as suggested by the Office Action. Applicant tried to make this point in his previous response when they stated that “the Joshi et al. Patent has not been found to teach

or suggest that its ‘appropriate quantizer step-size’ is selected based on an image type assigned to the respective codeblock, as required by Claim 1.” The mere statement that an “appropriate quantizer step-size” is used does not mean that each codeblock is assigned an image type and a corresponding quantization step-size set, as required by Claim 1.

None of the other rejecting references are cited as teaching or suggesting the above-discussed features of Claim 1. For at least these reasons, Applicant respectfully submits that Claim 1 is patentable.

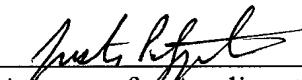
Independent Claims 16 and 17 include the same or similar features as those discussed above in connection with Claim 1 and, therefore, are submitted to be patentable for at least the same reasons.

The other claims in this application depend from one of the independent claims discussed above and, therefore, also are submitted to be patentable for at least the same reasons. Since each dependent claim is deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

This Response After Final Action is believed to place this application in condition for allowance and, therefore, its entry is believed proper under 37 C.F.R. §1.116. Accordingly, entry of this Response After Final Action, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicant's undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing remarks, Applicant respectfully requests favorable reconsideration and the allowance of the present application.

Respectfully submitted,



Attorney for Applicant
Registration No. 52,118

Justin D. Petruzzelli/dh
Rochester, NY 14650
Telephone: 585-726-7522
Facsimile: 585-477-4646

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.